

JS 44C/SDNY
REV. 12/2005

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Ade O. Ogunjobi
Toks, Inc.

DEFENDANTS

Irving H. Picard

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

28 USC 158

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes? ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

| TORTS | | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|---|---|---|--|---|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | <input checked="" type="checkbox"/> 422 APPEAL | <input type="checkbox"/> 400 STATE |
| <input type="checkbox"/> 110 INSURANCE | <input type="checkbox"/> 310 AIRPLANE | <input type="checkbox"/> 610 AGRICULTURE | 28 USC 158 | <input type="checkbox"/> 410 REAPPORTIONMENT |
| <input type="checkbox"/> 120 MARINE | <input type="checkbox"/> 315 AIRPLANE PRODUCT | <input type="checkbox"/> 620 FOOD & DRUG | <input type="checkbox"/> 423 WITHDRAWAL | <input type="checkbox"/> 430 ANTITRUST |
| <input type="checkbox"/> 130 MILLER ACT | LIABILITY | <input type="checkbox"/> 625 DRUG RELATED | 28 USC 157 | <input type="checkbox"/> 430 BANKS & BANKING |
| <input type="checkbox"/> 140 NEGOTIABLE | <input type="checkbox"/> 320 ASSAULT, LIBEL & | SEIZURE OF | | <input type="checkbox"/> 450 COMMERCE/CC |
| INSTRUMENT | SLANDER | PROPERTY | | RATES/ETC |
| <input type="checkbox"/> 150 RECOVERY OF | <input type="checkbox"/> 330 FEDERAL | <input type="checkbox"/> 630 LIQUOR LAWS | PROPERTY RIGHTS | <input type="checkbox"/> 460 DEPORTATION |
| OVERPAYMENT & | EMPLOYERS' | <input type="checkbox"/> 640 RR & TRUCK | <input type="checkbox"/> 820 COPYRIGHTS | <input type="checkbox"/> 470 RACKETEER INFLU- |
| ENFORCEMENT OF | LIABILITY | <input type="checkbox"/> 850 AIRLINE REGS | <input type="checkbox"/> 830 PATENT | ENCED & CORRUPT |
| JUDGMENT | <input type="checkbox"/> 340 MARINE | <input type="checkbox"/> 860 OCCUPATIONAL | <input type="checkbox"/> 840 TRADEMARK | ORGANIZATION ACT |
| <input type="checkbox"/> 151 MEDICARE ACT | <input type="checkbox"/> 345 MARINE PRODUCT | SAFETY/HEALTH | | (RICO) |
| <input type="checkbox"/> 152 RECOVERY OF | LIABILITY | <input type="checkbox"/> 890 OTHER | | <input type="checkbox"/> 480 CONSUMER CREDIT |
| DEFAULTED | <input type="checkbox"/> 350 MOTOR VEHICLE | LABOR | SOCIAL SECURITY | <input type="checkbox"/> 490 CABLE/SATELLITE TV |
| STUDENT LOANS | <input type="checkbox"/> 355 MOTOR VEHICLE | <input type="checkbox"/> 710 FAIR LABOR | <input type="checkbox"/> 861 MIA (1395FF) | <input type="checkbox"/> 810 SELECTIVE SERVICE |
| (EXCL VETERANS) | PRODUCT LIABILITY | STANDARDS ACT | <input type="checkbox"/> 682 BLACK LUNG (923) | <input type="checkbox"/> 850 SECURITIES/ |
| <input type="checkbox"/> 153 RECOVERY OF | <input type="checkbox"/> 360 OTHER PERSONAL | <input type="checkbox"/> 720 LABOR/MGMT | <input type="checkbox"/> 863 OIWC (405(g)) | COMMODITIES/ |
| OVERPAYMENT OF | INJURY | RELATIONS | <input type="checkbox"/> 663 OIWW (405(g)) | EXCHANGE |
| VETERANS BENEFITS | | REPORTING & | <input type="checkbox"/> 864 SSID TITLE XVI | <input type="checkbox"/> 875 CUSTOMER |
| <input type="checkbox"/> 160 STOCKHOLDERS SUITS | | DISCLOSURE ACT | <input type="checkbox"/> 865 RSI (405(g)) | CHALLENGE |
| <input type="checkbox"/> 190 OTHER CONTRACT | | RAILWAY LABOR ACT | FEDERAL TAX SUITS | 12 USC 3410 |
| <input type="checkbox"/> 195 CONTRACT PRODUCT | | OTHER LABOR | <input type="checkbox"/> 870 TAXES | <input type="checkbox"/> 891 AGRICULTURE ACTS |
| LIABILITY | | <input type="checkbox"/> 791 EMPL RET INC | <input type="checkbox"/> 871 IRS-THIRD PARTY | <input type="checkbox"/> 892 ECONOMIC |
| <input type="checkbox"/> 196 FRANCHISE | | SECURITY ACT | 20 USC 7609 | STABILIZATION ACT |
| | ACTIONS UNDER STATUTES | | | <input type="checkbox"/> 893 ENVIRONMENTAL |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | | MATTERS |
| <input type="checkbox"/> 210 LAND CONDEMNATION | <input type="checkbox"/> 441 VOTING | <input type="checkbox"/> 510 MOTIONS TO | | <input type="checkbox"/> 894 ENERGY |
| <input type="checkbox"/> 220 FORECLOSURE | <input type="checkbox"/> 442 EMPLOYMENT | VACATE SENTENCE | | ALLOCATION ACT |
| <input type="checkbox"/> 230 RENT LEASE & | <input type="checkbox"/> 443 HOUSING | 28 USC 2255 | | <input type="checkbox"/> 895 FREEDOM OF |
| EJECTMENT | ACCOMMODATIONS | <input type="checkbox"/> 530 HABEAS CORPUS | | INFORMATION ACT |
| <input type="checkbox"/> 240 TORTS TO LAND | <input type="checkbox"/> 444 WELFARE | <input type="checkbox"/> 535 DEATH PENALTY | | <input type="checkbox"/> 900 APPEAL OF FEE |
| <input type="checkbox"/> 246 TORT PRODUCT | <input type="checkbox"/> 445 AMERICANS WITH | <input type="checkbox"/> 540 MANDAMUS & OTHER | | DETERMINATION |
| LIABILITY | DISABILITIES - | <input type="checkbox"/> 550 CIVIL RIGHTS | | UNDER EQUAL ACCESS |
| <input type="checkbox"/> 290 ALL OTHER | EMPLOYMENT | <input type="checkbox"/> 555 PRISON CONDITION | | TO JUSTICE |
| REAL PROPERTY | <input type="checkbox"/> 446 AMERICANS WITH | | | <input type="checkbox"/> 950 CONSTITUTIONALITY |
| | DISABILITIES -OTHER | | | OF STATE STATUTES |
| | <input type="checkbox"/> 440 OTHER CIVIL RIGHTS | | | <input type="checkbox"/> 890 OTHER STATUTORY |
| | | | | ACTIONS |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)

(PLACE AN *x* IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court
AND at least one party is a pro se litigant

(PLACE AN *x* IN ONE BOX ONLY)

BASIS OF JURISDICTION

**IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)**

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | |
|--------------------------|-----------------|--|-----------------|--|-----------------|
| CITIZEN OF THIS STATE | PTF [] DEF [] | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF [] DEF [] | INCORPORATED <u>and</u> PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF [] DEF [] |
| CITIZEN OF ANOTHER STATE | [] [] | INCORPORATED <u>or</u> PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] [] | FOREIGN NATION | [] [] |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ FOLEY SQUARE
(DO NOT check either box if this a PRISONER PETITION.)

DATE SIGNATURE OF ATTORNEY OF RECORD

6/26/2009 US Bankruptcy Court - SDNY

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[] YES (DATE ADMITTED Mo. _____ Yr. _____)
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

J Michael McMahon, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)